

**COLLUM****Serial No.: 09/296,676****Remarks**

Reconsideration and allowance of the subject patent application are respectfully requested.

Applicant's representative wishes to thank Examiner Zimmerman for the courtesy extended at the interview discussing the subject patent application.

Claims 1-34 were rejected under 35 U.S.C. Section 112, first paragraph, as allegedly failing to comply with the written description requirement. While not acquiescing in this rejection, claims 26-34 have been canceled without prejudice or disclaimer and claims 1, 6 and 11 have been amended to more clearly correspond with the structure shown in Figure 2 (and the corresponding description) as discussed at the aforementioned interview. Specifically, claims 1, 6 and 11 have been amended to describe that the communication (or RIC) unit is configured to provide the shut-off signal to the shut-off unit and to have no outputs to, or inputs from, normal utilization circuitry of the electronic apparatus. This is clearly shown, for example, in Figure 2 which unambiguously shows an example RIC configured to provide a shut-off signal to power supply 15. Figure 2 also clearly shows that the example RIC has no outputs to, or inputs from, normal utilization circuitry 17. Because the subject matter of amended claims 1, 6 and 11 is fully described by the original disclosure, withdrawal of the Section 112, first paragraph, rejection of the claims is respectfully requested.

Claims 1-4, 6-9, 11-15 and 21-25 were rejected under 35 U.S.C. Section 102(e) as allegedly being anticipated by Isikoff (U.S. Patent No. 5,748,084). While not acquiescing in this rejection, claims 1, 6 and 11 have been amended. Conforming

**COLLUM****Serial No.: 09/296,676**

amendments have been made to claims 18, 19 and 24. As such, Isikoff is discussed below with reference to the amended claims.

As previously discussed, Isikoff discloses systems and devices for the location, communication with and management of small, microprocessor-containing electronic devices such as laptop computers. A beacon comprised of a cellular transceiver and a modem is installed in the laptop computer or electronic device for data recovery or tracking of the computer after a theft. In Isikoff, the beacon is operable in a normal communication mode for receiving incoming communications signals such as voice telephone calls, incoming faxes, etc. This differs from the subject matter of the claims 1, 6 and 11, which call for, among other things, a RIC unit that has no outputs to, or inputs from, normal utilization circuitry of the electronic apparatus.

The office action alleges that "Isikoff further discloses that the beacon may be made as a removable assembly; this is interpreted that the beacon may be made separate from the utilization circuitry for normal operations of electronic apparatus it is attached to." Column 4, lines 35-38 of Isikoff state:

It is envisioned that the beacon itself be permanently attached to the computer, however, it is possible that for the purposes of upgrading its functionality it may be made as a removable chip or assembly.

However, even assuming that the beacon of Isikoff is made as a removable chip or assembly, it nonetheless provides outputs to and/or receives inputs from the normal utilization circuitry of the electronic apparatus. This is noted several times in the disclosure of Isikoff. *See, e.g.*, col. 1, lines 55-59 ("Under normal circumstances the beacon implements a standard communication function for the general communications needs of the device such as e-mail, voice, data, fax, internet or other communication

**COLLUM****Serial No.: 09/296,676**

task."); and col. 8, lines 14-15 ("Under normal circumstances the beacon functions as the general communications provider for the host computer.") Thus, Isikoff does not disclose a communication unit that has no outputs to, or inputs from, normal utilization circuitry of the electronic apparatus as set forth in each of claims 1, 6 and 11.

For at least these reasons, Isikoff cannot anticipate claims 1, 6 and 11. *See, e.g., Verdegall Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.").

Claims 2-4 depend from claim 1; claims 7-9 depend from claim 6; and claims 12-15 and 21-25 depend from claim 11. Applicant does not acquiesce in the rejections of these claims set forth in the office action. These dependent claims are not anticipated by Isikoff for the reasons set forth with the claims from which they depend and because they contain other distinguishing features.

Claims 5 and 10 were rejected under 35 U.S.C. Section 103(a) as allegedly being unpatentable over Isikoff in view of Heinrich *et al.* (U.S. Patent No. 5,874,902). Heinrich *et al.* is relied upon in the office action for its disclosure of a fusible link. However, Heinrich *et al.* is deficient with respect to the pending claims at least for the reasons set forth, for example, in the response of January 22, 2002 (which are incorporated herein) and it is respectfully submitted that the combination of Heinrich *et al.* with Isikoff would not have resulted in the subject matter of claims 5 and 10.

Claims 16 and 17 were rejected under 35 U.S.C. Section 103(a) as allegedly being unpatentable over Isikoff in view of Sheffer (U.S. Patent No. 5,515,419). Sheffer discloses an alarm information packet transmitted from a vehicle that includes vehicle

**COLLUM****Serial No.: 09/296,676**

type and color, vehicle plate number and identification number and the owner's name and address. Even assuming that some of this information is viewed as constituting the claimed purchase data or purchaser data, Sheffer does not remedy the deficiencies of Isikoff with respect to claim 11 (from which claims 16 and 17 depend). For at least these reasons, the proposed combination would not have resulted in the subject matter of claims 16 and 17.

Claim 18 was rejected under 35 U.S.C. Section 103(a) as allegedly being unpatentable over Isikoff in view of Glenn (U.S. Patent No. 5,406,261). Glenn is cited for its disclosure of a transistor as a power control circuit. However, Glenn does not remedy the deficiencies of Isikoff with respect to claim 11 (from which claim 18 depends). As such, even assuming the proposed combination was proper, it would not result in the subject matter of claim 18.

Claims 19 and 20 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over Isikoff in view of Glenn and further in view of Heinrich *et al.* Isikoff, Heinrich *et al.* and Glenn simply do not teach or suggest the specific arrangements called for in claims 19 and 20. Significantly, even if the fuse of Heinrich *et al.* were somehow integrated into the arrangement of Figure 8c of Glenn, the subject matter of claims 19 and 20 involving first and second parallel current paths; a fuse; and a first transistor would not result.

Applicant submits that the pending claims are in condition for allowance, and action to that end is earnestly solicited.

**COLLUM****Serial No.: 09/296,676**

If any issues remain to be resolved, the Examiner is urged to contact the attorney for Applicant at the telephone number listed below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**



Michael J. Shea  
Registration No. 34,725

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJS:mjs